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|-------------------------------|----------------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b>           | <b>Applicant(s)</b> |  |
|                               | 09/723,512                       | MINAMINO, KATSUKI   |  |
|                               | Examiner<br>Michael N. Opsasnick | Art Unit<br>2626    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment after final filed on 7/23/07.
2.  The allowed claim(s) is/are 1,3,5-8,10 and 11.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

MICHAEL OPSASNICK  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1,3,5-8,10,11 are allowed over the prior art of record.

2. The following is a statement of reasons for the indication of allowable subject matter:

As per the independent claims, the claim recitations pertaining to speech coefficients for weighted words are controlled by a growth state, and wherein the occurrence probability is based on data collected from distinct behavior and environmental models comprised of a plurality of nodes representing unique actions, is not explicitly taught by the prior art of record.

Edatsune (US Patent 5,802,488) discloses an interactive speech recognition device in a robot comprising: speech recognition means for recognizing speech including a dictionary (Col. 10, Lines 35-42; Col. 4; Lines 25-28; Fig. 1A; Col. 4, Lines 25-28; Fig. 2B, see element 5); control means for controlling a growth state of said robot, via a plurality of nodes corresponding to increasing maturity levels for said robot (drive control unit; Fig. 1B, element 7; Col. 12, Lines 23-56; also see Fig. 2B, see words weighted through multiplication with coefficients; Fig. 3A, see Response Content Level Generation Unit; increasing the level of response as time passes and relationship between passage of time and level value is stored, Col. 11, Lines 8-32; recognition data is created in accordance with the content level, Col. 11, Lines 47-59); however, the prior art does not explicitly teach speech coefficients for weighted words are controlled by a growth state, and wherein the occurrence probability is based on data collected from distinct behavior and

environmental models comprised of a plurality of nodes representing unique actions. Furthermore, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of the prior art of record to obtain the recited claim limitations of the independent claims as noted above.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MICHAEL OPSASNICK  
PRIMARY EXAMINER



AU2626  
7/29/07